



21 JUN 2006

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LOWE HAUPTMAN GILMAN & BERNER, LLP
1700 DIAGNOSTIC ROAD, SUITE 300
ALEXANDRIA VA 22314

In re Application of :
GUIONNET et al. :
Application No.: 10/518,289 :
PCT No.: PCT/FR02/02368 :
Int. Filing Date: 05 July 2002 : DECISION
Priority Date: None :
Attorney Docket No.: 4590-363 :
For: METHOD FOR SERIAL PRODUCTION OF :
SECURE DOCUMENTS AND MACHINE THEREFOR :

This is a decision on applicants' petition under 37 CFR 1.47(a) filed 21 March 2006 in the United States Patent and Trademark Office (USPTO).

BACKGROUND

On 05 July 2002, applicants filed international application PCT/FR02/02368, which designated the United States and does not claim priority to an earlier application. A copy of the international application was communicated from the International Bureau to the USPTO on 15 January 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 05 January 2005.

On 17 December 2004, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, a translation of the application into English, and a declaration of inventors signed by four of the five joint inventors.

On 21 December 2005, the United States Designated/Elected Office (DO/EO/US) mailed a NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating, *inter alia*, that an oath or declaration of the inventors in compliance with 37 CFR 1.497(a)-(b) and the surcharge under 37 CFR 1.492(h) for filing any of the search fee, the examination fee, or the oath or declaration after the date of the commencement of the national stage.

On 21 March 2006, applicants filed the instant petition under 37 CFR 1.47(a) which was accompanied by, *inter alia*, a petition/fee for a one-month extension of time, a statement of facts by Vladimir Chaverneff, a copy of a returned registered mail envelope, copies of internet searches for nonsigning inventor Sebastian Guionet, and the required surcharge.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17(h); (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort; (3) a statement of the last known address of the missing inventor; and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

As to item (1), the petition fee of \$200 has been charged to Deposited Account 07-1337. Accordingly, item (1) has been met.

Items (2) and (3) have been met as well.


Item (4) has not been met. The declaration of inventors filed 17 December 2004 is not in compliance with 37 CFR 1.69(b); specifically applicants have not used one of the pre-approved foreign language forms nor have applicants furnished the requisite statement attesting to the accuracy of the translation.

CONCLUSION

For the above reasons, applicants' petition under 37 CFR 1.47(a) is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response, including a translation of the Figures, must be filed within TWO (2) MONTHS from the mail date of this decision. **Failure to timely file the proper response will result in abandonment of this application.** Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)". No additional petition fee is required. Extensions of time may be obtained under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.


Daniel Stemmer
Legal Examiner
PCT Legal Affairs
Office of Patent Cooperation Treaty
Legal Administration
Telephone: (571) 272-3301
Facsimile: (571) 273-0459